

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

U.S. PATENT APPLICATION OF: )

10/675,386 )

U.S. FILING DATE: September 30, 2003 )

FOR: SECURE LEGACY MEDIA )  
PERIPHERAL ASSOCIATION WITH )  
AUTHENTICATION IN A MEDIA )  
EXCHANGE NETWORK )

ART UNIT: 2135 )

CONFIRMATION NO.: 6836 )

Mail Stop 16

Commissioner for Patents

P.O. Box 1450

Alexandria, VA. 22313-1450

Attention: Refund Section, Accounting Division, Office of Finance

**REQUEST FOR REFUND**  
**(37 C.F.R. § 1.28(a))**

**NOTE:** 37 C.F.R. § 1.28(a): "(a) Refunds based on later establishment of small entity status. A refund pursuant to § 1.26, based on establishment of small entity status, of a portion of fees timely paid in full prior to establishing status as a small entity may only be obtained if an assertion under § 1.27(c) and a request for a refund of the excess amount are filed within three months of the date of the timely payment of the full fee. The three-month time period is not extendable under § 1.136. Status as a small entity is waived for any fee by the failure to establish the status prior to paying, at the time of paying, or within three months of the date of payment of, the full fee."

**NOTE:** Submission of a Change of Status (small/not small entity status) after issuance of the Notice of Allowance in an application does not result in a reduction in patent term adjustment under 37 C.F.R. § 1.704(c)(10). See Notice of May 29, 2001, 1247 OG 111-112, June 26, 2001.

**CERTIFICATION UNDER 37 C.F.R. §§ 1.8(A) AND 1.10\***

(When using Express Mail, the Express Mail label number is mandatory;  
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

**TRANSMISSION**☒ electronically transmitted to the Patent and Trademark Office.

\_\_\_\_\_  
/Joseph M. Butscher/  
Joseph M. Butscher

Date: October 16, 2008

\* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

Serial No. 10/675,386  
Refund Request

**I REFUND REQUEST**

NOTE: 37 C.F.R. § 1.28(b)(1): "(b) Date of payment. (1) The three-month period for requesting a refund, pursuant to paragraph (a) of this section, starts on the date that a full fee has been paid..."

This request for refund is made within two months of the date of the charge to the deposit account listed below in this application on September 18, 2008, in the amount of \$ 1,050.00.

NOTE: If the fee was charged to a deposit account, a request for refund must be filed within two months of the date of the charge to the deposit account.

**II. FEE PAID FOR WHICH REFUND REQUESTED**

	AMOUNT OF REFUND REQUESTED
<input checked="" type="checkbox"/> Extension of term (three-month)	\$1,050.00
<b>TOTAL REFUND REQUESTED</b>	<b>\$1,050.00</b>

**III. MANNER OF REFUND**

Please make refund by crediting:

- ☒ Deposit Account No. 130017.
- ☐ Credit card as shown on the attached credit card information authorization form PTO-2038.

**WARNING:** Credit card information should **not** be included on this form as it may become public.

☐ refunding overpayment.

Respectfully submitted,

/Joseph M. Butscher/

Joseph M. Butscher  
Reg. No. 48,326  
Customer No. 23446

Date: October 16, 2008

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